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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/611,795	06/30/2003	Ole Simonsen	10279.200-US	1310

25908 7590 06/17/2005

NOVOZYMES NORTH AMERICA, INC.  
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EXAMINER

MRUK, BRIAN P

ART UNIT PAPER NUMBER

1751

DATE MAILED: 06/17/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/611,795

Applicant(s)

SIMONSEN ET AL.

Examiner

Brian P. Mruk

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 06 October 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 10/6/03.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### *Priority*

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-11 and 14-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over McGoff et al, US2003/0073604.

McGoff et al, US2003/0073604, discloses a detergent product comprising a core matrix that contains starch and polyvinyl alcohol or polyvinyl pyrrolidone (see page 3, paragraph [0039]-page 4, paragraph [0049]), and 0.5-35% by weight of an active ingredient, such as an enzyme (see page 5, paragraphs [0069]-[0070]), wherein the resulting detergent is formed into a granule that has a particle size of 50-100 micrometers (see page 3, paragraph [0026]). It is further taught by McGoff et al that the core matrix may further contain an antioxidant, such as sodium thiosulfate (see pages 10-11, paragraph [0129]), and that the core matrix is coated with a protective coating

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during production (see page 9, paragraph [0118]-page 10, paragraph [0120] and pages 11-12, paragraphs [0138]-[0142]). Although McGoff et al generally discloses a granular detergent product containing an antioxidant, such as sodium thiosulfate, the reference does not require such a granular detergent product containing this component with sufficient specificity to constitute anticipation.

It would have been obvious to a person of ordinary skill in the art at the time of the invention to have formulated a granular detergent product, as taught by McGoff et al, which contained an antioxidant, such as sodium thiosulfate, because such a granular detergent product falls within the scope of those taught by McGoff et al. Therefore, one of ordinary skill in the art would have had a reasonable expectation of success, because such a granular detergent product containing an antioxidant, such as sodium thiosulfate, is expressly suggested by the McGoff et al disclosure and therefore is an obvious formulation.

4. Claims 1-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pieroni et al, WO 99/37746.

Pieroni et al, WO 99/37746, discloses a detergent tablet comprising a core that contains magnesium sulphate (see page 12, lines 11-16), a gelling additive, such as a polysaccharide (see page 16, lines 6-12), polyvinyl pyrrolidone (see page 17, line 15- page 18, line 23), antioxidants (see page 77, lines 21-31), and a deterative enzyme (see page 50, lines 5-12). It is further taught by Pieroni et al that the core is encapsulated by a first and second encapsulating layer (see page 8, lines 11-27), and that the tablet is

prepared in a mixer (see page 79, line 26-page 81, line 23). Although Pieroni et al generally discloses a detergent tablet containing an antioxidant, the reference does not require such a detergent tablet containing this component with sufficient specificity to constitute anticipation.

It would have been obvious to a person of ordinary skill in the art at the time of the invention to have formulated a detergent tablet, as taught by Pieroni et al, which contained an antioxidant, because such a detergent tablet falls within the scope of those taught by Pieroni et al. Therefore, one of ordinary skill in the art would have had a reasonable expectation of success, because such a detergent tablet containing an antioxidant is expressly suggested by the Pieroni et al disclosure and therefore is an obvious formulation.

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brian Mruk whose telephone number is (571) 272-1321. The examiner can normally be reached on Monday-Thursday from 7:00 AM to 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Yogendra Gupta, can be reached on (571) 272-1316. The fax phone

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number for the organization where this application or proceeding is assigned is (703)

872-9306.

*BPM*

Brian Mruk  
June 13, 2005

*Brian P. Mruk*

Brian P. Mruk  
Primary Examiner  
Tech Center 1700